

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Magistrate No. 21-319
)
 RUSSELL JAMES PETERSON)

MOTION TO SCHEDULE PRELIMINARY HEARING
IN WESTERN DISTRICT OF PENNSYLVANIA

Russell James Peterson, through counsel, asks this Court to schedule a Preliminary Hearing in the Western District of Pennsylvania. In support, he states:

1. On February 12, 2021, Mr. Peterson had an initial appearance before this Court, pursuant to Federal Rule of Criminal Procedure 5(c)(2). Mr. Peterson faces prosecution in the United States District Court for the District of Columbia for offenses including 18 U.S.C. § 1752(a)(1) & (a)(2).

2. During the initial appearance, Mr. Peterson represented that he wished to have his preliminary hearing in the district of prosecution, the District of Columbia, instead of in the Western District of Pennsylvania. *See* Doc. 8. Mr. Peterson made that choice based on the understanding that the preliminary hearing would occur on Thursday, February 18, 2021, in the District of Columbia.

3. After the court appearance, Mr. Peterson learned that a preliminary hearing may not be possible in the District of Columbia on February 18. Mr. Peterson understands that he is able to have a preliminary hearing, instead, in the Western District of Pennsylvania, on February 18, 2021, at 11:00 a.m.

4. For these reasons, Mr. Peterson respectfully requests that this Court schedule a preliminary hearing in the Western District of Pennsylvania on February 18, 2021, at 11:00 a.m., and that his Waiver of Rule 5(c)(3) Hearing be modified accordingly.

Respectfully submitted,

/s/ Sarah Levin

Sarah Levin

Assistant Federal Public Defender